

REMARKS

This amendment is in response to the Office Action of March 24, 2005. In the Office Action, the Examiner indicated that Claims 1-22 are pending and rejected. With this Amendment, Claims 1, 5, 10, 14 and 19 are amended, Claims 3, 12 are cancelled, new claims 23-24 are added, and Claims 1-2, 4-11, 13-24 are submitted for reconsideration and allowance.

Claim Rejections - 35 USC 102

The Examiner rejected Claims 1-22 under 35 USC 102(e) over Takegawa US 2002/0003681 ("Takegawa").

With this Amendment, Claims 1, 5, 10 and 14 are amended to include a limitation to a strut that is substantially non-rotatable. Claim 19 is amended to include a limitation to providing an aerodynamic force at a substantially non-rotatable location.

Takegawa does not disclose a strut that is substantially non-rotatable as presently claimed in amended claims 1, 5, 10 and 14. Takegawa does not disclose providing an aerodynamic force at a substantially non-rotatable location as presently claimed in Claim 19.

Takegawa instead teaches a dummy slider 12 that is suspended via a suspension 14 to a rotatable arm 15 that is moved by a voice coil motor 13.

Since the suspension taught by Takegawa is rotatable rather than substantially non-rotatable, Claims 1-2, 4-11, 13-22 include features that are not disclosed Takegawa. Takegawa teaches that the rotatable arm rotates together with the head, which teaches away from the invention as presently claimed where a strut (or means for interacting with a disc surface) is substantially non-rotatable.

Claims 1-2, 4-11, 13-22, as presently amended, are thus considered novel over Takegawa. Reconsideration and allowance of

the rejection under 35 USC 102 over Takegawa of Claims 1-2, 4-11, 13-22, as presently amended, is therefore requested.

Other Art Cited

The other art cited by the Examiner has been considered and such art does not teach or suggest the invention as presently claimed in amended Claims 1-2, 4-11, 13-24.

The Application appears to be in condition for allowance and favorable action is requested. The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

---

David C. Bohn, Reg. No. 32,015  
Suite 1400 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312